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15-00000



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/672,177	09/26/2003	1636	375	1435-1	2	12	3

CONFIRMATION NO. 9860

JOHN LEZDEY  
 JOHN LEZDEY & ASSOC.  
 4625 EAST BAY DR. SUITE 302  
 CLEARWATER, FL 33764



\*OC000000016782185\*

Date Mailed: 08/16/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

John Lezdey, Indian Rocks Beach, FL;  
 K. Anne Kronis, Tampa, FL;  
 Darren Lezdey, Indian Rocks Beach, FL;

**Power of Attorney:**

John Lezdey-22735

**Domestic Priority data as claimed by applicant**

This application is a CIP of 09/981,073 10/16/2001 ABN  
 which is a CIP of 09/526,401 03/15/2000 ABN

RECEIVED  
 OIPE/IAP

AUG 29 2005

**Foreign Applications**

If Required, Foreign Filing License Granted: 12/22/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/672,177**

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

**\*\* SMALL ENTITY \*\*****Title**

DNA for expression of alpha 1-antitrypsin in methylotropic yeast

**Preliminary Class**

435

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/672,177	09/26/2003	John Lezdey	1435-1

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 CLEARWATER, FL 33764

**CONFIRMATION NO. 9860**  
**FORMALITIES**  
**LETTER**

Date Mailed: 08/16/2005

# **NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

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Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

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PART 1 - ATTORNEY/APPLICANT COPY



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JOHN LEZDEY  
 JOHN LEZDEY & ASSOC.  
 4625 EAST BAY DR. SUITE 302  
 CLEARWATER, FL 33764

CONFIRMATION NO. 9860  
 FORMALITIES  
 LETTER

Date Mailed: 08/16/2005

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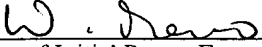
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PART 2 - COPY TO BE RETURNED WITH RESPONSE



## STIC Biotechnology Systems Branch

### RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number:

10/672,177A

Source:

TFNO

Date Processed by STIC:

2-4-05

**THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.**

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- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

**FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221**

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Revised 01/24/05



IFWO

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/672,177A

DATE: 02/04/2005

TIME: 16:27:06

Input Set : N:\FATIMA\10672177.txt

Output Set: N:\CRF4\02042005\J672177A.raw

W--&gt; 2 Alpha. ST25.txt

5 &lt;110&gt; APPLICANT: AlphaMed Pharmaceuticals Corporation

8 &lt;120&gt; TITLE OF INVENTION: DNA for Expression of Alpha I-Antitrypsin in Methylotropic

Yeast

11 &lt;130&gt; FILE REFERENCE: 110113200

C--&gt; 14 &lt;140&gt; CURRENT APPLICATION NUMBER: US/10/672,177A

C--&gt; 16 &lt;141&gt; CURRENT FILING DATE: 2003-09-26

19 &lt;150&gt; PRIOR APPLICATION NUMBER: PCT/US01/50677

21 &lt;151&gt; PRIOR FILING DATE: 2001-12-21

24 &lt;160&gt; NUMBER OF SEQ ID NOS: 8

27 &lt;170&gt; SOFTWARE: PatentIn version 3.1

Does Not Comply  
Corrected Diskette Needed

## ERRORRED SEQUENCES

59 &lt;210&gt; SEQ ID NO: 3

61 &lt;211&gt; LENGTH: 24

63 &lt;212&gt; TYPE: DNA

65 &lt;213&gt; ORGANISM: Homo sapiens

68 &lt;400&gt; SEQUENCE: 3

E--&gt; 69 cagaagacag ataatcga ccat, 24

Found 23

(pg. 1)

## VERIFICATION SUMMARY

PATENT APPLICATION: US/10/672,177A

DATE: 02/04/2005

TIME: 16:27:07

Input Set : N:\PATIMA\10672177.txt

Output Set: N:\CRF4\02042005\J672177A.raw

L:2 M:259 W: Allowed number of lines exceeded, (1) GENERAL INFORMATION:  
L:14 M:270 C: Current Application Number differs, Replaced Current Application Number  
L:16 M:271 C: Current Filing Date differs, Replaced Current Filing Date  
L:47 M:259 W: Allowed number of lines exceeded, <211> LENGTH:  
L:69 M:254 E: No. of Bases conflict, LENGTH:Input:24 Counted:23 SEQ:3 ✓  
L:69 M:252 E: No. of Seq. differs, <211> LENGTH:Input:24 Found:23 SEQ:3 ✓  
L:94 M:259 W: Allowed number of lines exceeded, <213> ORGANISM: